## TELEFAX COVER SHEET

RECEIVED
CENTRAL FAX CENTER

NOV 1 2 2008

## PATTERSON & SHERIDAN, LLP

ATTORNEYS AT LAW
595 SHREWSBURY AVENUE
FIRST FLOOR
SHREWSBURY, NJ 07702
TELEPHONE (732) 530-9404
TELEFAX (732) 530-9808

\* THIS TELEFAX MESSAGE IS ADDRESSED TO THE PERSON OR COMPANY LISTED BELOW. IF IT WAS SENT OR RECEIVED INCORRECTLY, OR YOU ARE NOT THE INTENDED RECIPIENT, PLEASE TAKE NOTICE THAT THIS MESSAGE MAY CONTAIN PRIVILEGED OR CONFIDENTIAL MATERIAL, AND YOUR DUE REGARD FOR THIS INFORMATION IS NECESSARY. YOU MAY ARRANGE TO RETURN THIS MATERIAL BY CALLING THE FIRM LISTED ABOVE AT (732) 530-9404 THIS MESSAGE HAS // PAGES INCLUDING THIS SHEET Commissioner of Patents TO: FAX NO.: (571) 273-8300 FROM: Kin-Wah Tong, Esq. DATE: \_\_\_\_\_\_ November 11, 2008 MATTER: U.S. Serial No.: 10/699,368 filed: October 31, 2003 DOCKET NO.: YOR920030508US1 APPLICANT: Rosu, et al. The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile: \_ Petition for Extension of Time X Transmittal (2 copies) \_\_\_ Copy of Notice to File Missing Parts \_\_ Fee Transmittal (2 copies) Response to Notice to File Missing Parts Deposit Account Transaction X Response to Office Action X Facsimile Transmission Certificate dated **November 11, 2008 CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8** I hereby certify that this correspondence is being transmitted by facsimile to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 11, 2008, Facsimile No. (571)-273-KIN-WAH TONG November 11, 2008 Name of person signing this certificate Signature and date

NOV 1 2 2008

Approved for use through 07/31/2006. OMB 0551-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM			Application Number		10/699,368					
			Filing Date		October 31, 2003					
			First Named Inventor		Rosu, et al.					
			Art Unit		2121					
(to be used for all correspondence after initial filing)			Examiner Name		Darrin D.	Dunn				
Total Number of Pages in Thi			Attorney Docket N	umber	YOR9200	30508US1				
ENCLOSURES (check all that apply)										
Fee Transmittal Form		Replacement Drawing(s)		After Allowance Communication to TC						
Fee Attached		Licensing-	related Papers		Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC					
Amendment / Reply		Petition								
						Natice, Brief, Reply Brief)				
		Convert to a all Application		Proprietary Information						
Affidavits/declaration	n(8)	Power of Attorney, Revocation Change of Correspondence Addre		Iress	Status Letter					
Extension of Time Request		Terminal [	Il Disclaimer		Other Enclosure(s) (please identity below):					
Express Abandonment Request		Request for Refund			Certificate of Facsimile					
		CD, Number of CD(s)			Transmiss	sion				
Information Disclosure Statement		Landscape Table on CD								
Certified Copy of Priority Document(s)		Remarks It is believed no fee is due. However, in the event a fee is due, kindly charge that fee to Deposit Account No. 20-0782. To facilitate that charge, a								
Reply to Missing Parts/		duplicate copy of this letter is enclosed.								
Incomplete Application										
Reply to Missing Parts under 37 CFR1,52 or 1,53										
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT										
Firm			i	KNET, O	AGENI					
		Patterson & She	ndan, LLP							
Signature										
Printed Name		Kin-Wah Tong, E	≣sq							
Date		November 11, 2008 Reg. No.		39,400						
CERTIFICATE OF TRANSMISSION/MAILING										
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.										
Signature										
Typed or printed name	KIN-WAH TONE			Date	November 11, 2008					

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. The will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATTERSON & SHERIDAN

→ PTO

NOV 1 2 2008 011

PTC/SB/21 (09-04)
Approved for use through 07/31/2008. OMB 0851-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB conflict number.

TRANSMITTAL FORM			Application Number		10/699,3	10/699,368				
			Filing Date		October 31, 2003					
			First Named Inventor		Rosu, et al.					
			Art Unit		2121					
(to be used for all correspondence after initial filing)			Examiner Name		Darrin D. Dunn					
Total Number of Pages in Ti		Attorney Docket I	Number	YOR920	030508US1					
ENCLOSURES (check all that apply)										
Fee Transmittal Form		Replacement Drawing(s)			After Allowance Communication to TC					
Fee Attached		Licensing	related Papers		Appeal Communication to Board					
Amendment / Reply		Petition			of Appeals and Interferences  Appeal Communication to TC					
Est rationient / Nepty				(Appeal Notice, Brief, Reply Brief)						
			Convert to a all Application		Proprietary Information					
Affidavits/declaration			Attorney, Revocation f Correspondence Address		Status Letter					
Extension of Time Request		Terminal Disclaimer		Other Enclosure(s) (please identify below):						
Express Abandonment Request		Request for Refund			Certificat Transmis	e of Facsimile slon				
Information Disclosure Statement		CD, Number of CD(s)								
		Landscape Table on CD  Remarks  It is believed no fee is due. However, in the event a fee is due.								
Certified Copy of Priority Document(s)		kindly charge that fee to Deposit Account No. 20-0782. To facilitate that charge, a duplicate copy of this letter is enclosed.								
Reply to Missing Parts/		aupitcate cop	y of this letter is en	cioseg.						
Incomplete Application										
Reply to Missing Parts under 37 CFR1.52 or 1.53										
	SIGN	ATURE OF A	PPLICANT, ATTO	RNEY, O	R AGENT					
r:		Patterson & She								
Signature		<del></del>	ALS .							
Printed Name Kin-V		Kin-Wah Tong, E	in-Wah Tong, Esq.							
Date Nover		November 11, 20	No. Reg. No.		39,400					
CERTIFICATE OF TRANSMISSION/MAILING										
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.										
Signature										
Typed or printed name	Į.	IN-WAH	TONE		Date	November 11, 2008				

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT Atty. Dkt. No. YOR920030508US1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED CENTRAL FAX CENTER

NOV 1 2 2008

In re Application of:

Rosu et al.

Serial No.: 10/699.368

Confirmation No.: 3047

Filed:

October 31, 2003

For: METHOD AND APPARATUS FOR BANDWIDTH EFFICIENT DISTRIBUTION OF CONTENT

Examiner: Darrin D. Dunn

Group Art Unit: 2121

യയയയ

88

888

MAIL STOP AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 CERTIFICATE OF TRANSMISSION 37 CFR 1.8

I hereby certify that this correspondence is being transmitted by facsimile to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 11, 2008, Facsimile No. (571) 273-8300.

November 11, 2008

Date

Kin-Wah Tong, Esq

Dear Sir:

## **RESPONSE TO OFFICE ACTION DATED AUGUST 11, 2008**

In response to the Office Action dated August 11, 2008, having a shortened statutory period for response set to expire on November 11, 2008, please enter this response and reconsider the claims pending in the application for reasons discussed below. Although Applicants believe that no additional fees are due in connection with this response, the Commissioner is hereby authorized to charge counsel's Deposit Account No. 20-0782/IBMY/920030508, for any fees, including extension of time fees or excess claim fees, required to make this response timely and acceptable to the Office.